

Tribal Science Council

Organizational Overview

...who we are and how we work

March 14, 2003

Preface

This document is meant to provide readers with an overview of the Tribal Science Council (TSC) including, how the organization works and how input can be integrated into the TSC. It is intended to be a “living document,” which means that the content may be revisited and updated as the needs of the group change. Because the Council ultimately reports to the Tribal Operations Committee (TOC), significant issues will be brought before them for their input and approval. Tribal issues will be addressed through the Tribal Caucus of the TOC.

I. Introduction

In the 1990s, as tribes began to get more involved in the implementation of environmental programs, tribes across the country expressed concerns about the appropriateness of EPA's scientific activities in a tribal context. Specifically, concerns arose about appropriate use of scientific information gathered from tribes, the validity of data collected about or through traditional methods, and the ability of EPA's programs to incorporate the unique aspects of tribal cultures into its models and assessment tools.

In May 1999, in an address before the Tribal Caucus, Norine Noonan, former Assistant Administrator of EPA's Office of Research and Development, called for the formation of a Tribal Science Council (TSC) to provide a structure for Tribal involvement in the Agency's science efforts. The Council was to serve as a vehicle through which the Agency could gain an understanding of what scientific issues are of highest priority to Tribes at a national level and Tribes could influence the Agency's scientific agenda by raising these priority issues to an Agency-wide group. Beginning in December of 2000, a group of Tribal Caucus volunteers and EPA representatives worked collaboratively to develop the Mission and Goals of the TSC and establish the initial membership. The Council held its first meeting in December of 2001 at the Ak-Chin and Gila River Indian Communities.

The TSC represents a new paradigm for how the Agency works with Tribal governments. The agenda of the Council is driven by Tribal priority science issues, which means that the group will be responding to the most pressing, national-level issues of concern to Tribes. However, unlike other Agency Tribal groups that consist solely of Tribal representatives and are advisory in nature, subject to the Federal Advisory Committee Act regulations, and usually focused on a particular program or subject area, the TSC employs a collaborative, holistic approach among officially designated Tribal and Agency representatives from across EPA Program Offices and Regions. Members work together to identify the most appropriate mechanisms to address the issues identified. While the group recognizes that there may be situations that necessitate the Tribal and EPA representatives work independently, the foundation of the group is built upon this collaborative, consensus-based way of operating.

II. Mission Statement and Goals¹

As was mentioned in the introduction, the mission and goals of the TSC were developed jointly by Tribal Caucus and EPA representatives. They reflect the unique nature of the organization as a collaborative effort involving Agency and Tribal representatives. It also reflects the fact that, because the TSC may not necessarily be implementers of the approaches that are identified for addressing the issues brought before it, partnering and coordinating with Tribes, Tribal organizations like Tribal colleges, and other Federal agencies are important goals of the group.

Mission Statement

In a manner consistent with the U.S. Environmental Protection Agency's Indian Policy and trust responsibility, the mission of the Tribal Science Council is to provide a forum for interaction between Tribal and Agency representatives of mutual benefit and responsibility to work collaboratively on environmental scientific issues. The Council will address a wide range of scientific issues including research, monitoring, modeling, information, technology, and training in Indian country. To support the subsistence, cultural, and ceremonial lifestyles of Indians and the safe use and availability of a healthy environment for present and future generations, the Tribal Science Council is committed to the development of sound holistic, integrated, and cross-media scientific approaches. The relationship between the Tribes and EPA in the Tribal Science Council will augment the government-to-government relationship between EPA and Tribal governments.

The goals of the Tribal Science Council are to:

- Develop a better understanding of the priority science issues of Tribes from across the nation and EPA's ability to address these issues and consider them as part of its formal planning process
- Reach consensus on collaborative approaches for addressing priority scientific issues.
- Share EPA scientific products or activities that could help address the priority scientific issues of Tribes.
- Promote partnerships between Tribal and EPA scientists in the development and application of sound science.
- Facilitate the communication and coordination with other Agencies and organizations to more effectively respond to issues.

¹The Mission and Goals of the Tribal Caucus were approved by the Tribal Caucus and the Tribal Operations Committee at their meetings in June and July 2001, respectively.

III. Membership

The Tribal Science Council represents a collaborative approach to addressing national-level priority science issues of Tribes. To ensure that the group has adequate representation to identify and address these issues, it includes a single Tribal representative from each of the nine EPA Regions that have Federally recognized Tribes and a single Agency representative from Headquarters Program Offices and Regions.² These members play an important role within the Council but, because one of the primary purposes of the group is to work with Agency and Tribal entities to implement solutions, members also play a critical role in partnering with Tribal scientists and coordinating with Tribes, Tribal organizations like Tribal colleges, Agency Tribal organizations, and other Federal agencies. As a result, the group has adopted the following membership roles and responsibilities:

The Tribal TSC representatives will:

- Be formally designated by the Regional Tribal Operations Committee (RTOC), with one Tribal representative serving per Region; and
- Serve as a liaison for Tribes within their Region to identify Tribal science priorities and implement the mechanisms identified for addressing these priorities.

The Agency TSC representatives will:

- Be formally designated by an Assistant Administrator or Regional Administrator, with one Agency representative serving for each Program Office and one Agency representative serving for each EPA Region;
- Be able to represent his/her office or Region;
- Have the authority to assess Tribal science priorities relative to his/her office's or Region's ongoing activities and strategic planning exercises; and
- Serve as a liaison with other Tribal program activities supported by his/her office.

² The Federal Advisory Committee Act governs what on-going, collaborative groups that are advisory in nature can and can't do. Although the TSC may appear to be similar to other groups that are subject to FACA requirements, as long as it maintains its current structure and operation, the TSC does not meet the definition of a federal advisory committee. Specifically, the FACA rule states that: "The following are examples of committees or groups that are not covered by the Act or this Federal Advisory Committee Management part: . . . (g) Intergovernmental committees. Any committee composed wholly of full-time or permanent part-time officers or employees of the Federal Government and elected officers of State, local and tribal governments (or their designated employees with authority to act on their behalf), acting in their official capacities. However, the purpose of such a committee must be solely to exchange views, information, or advice relating to the management or implementation of Federal programs established pursuant to statute, that explicitly or inherently share intergovernmental responsibilities or administration . . ."

Collectively, the TSC members are expected to:

- Possess sufficient scientific knowledge to understand and work on the issues raised by the group, although each person is not expected to be an expert on every topic.
- Work collaboratively with other Tribal representatives and EPA staff;
- Commit the time needed to adequately contribute to the work of the group; and
- Coordinate with Agency-supported Tribal Groups, Tribal organizations, Tribal colleges, and other Federal agencies.

IV. Participation

Participation by TSC members is critical to the group's success. Council meetings and conference calls are intentionally meant to be kept to a small size to maximize the interaction and build relationships among TSC members (as defined in the Membership Section) and to comply with Federal committee laws. For these reasons, TSC members are expected to attend in-person meetings and conference calls. When they are unable to participate, they are responsible for staying informed about what transpired at meetings or conference calls, which includes reading the meeting or call summaries. TSC members can send another person to be the official designated representative in their absence.

If the TSC member sends a representative in their place, they are responsible for exchanging information with that person to ensure an effective flow of communication between their Tribes, Regional Office or Program Office and the TSC.

In addition to the parameters above, the following guidelines for participation apply to TSC meetings and conference calls:

- Only officially designated TSC representatives, or those sent in their absence, may participate in TSC member discussions;
- Although anyone can observe TSC meetings and conference calls, outside Agency and Tribal representatives should provide input to the TSC via the officially designated representatives.
- Outside experts and guests will be invited to participate in TSC meetings and conference calls if they are on the agenda.
- Subcommittee chair participation can participate in TSC meetings regardless of whether or not they are members.

If a TSC member is not participating adequately to provide meaningful representation from the Tribes, Region, or office they represent, they will be contacted by one of the TSC Co-chairs (the Tribal Co-chair will contact Tribal participants and the Agency Co-chair will contact Agency staff) to identify why they have been unable to participate and investigate whether a new principal needs to be named to represent their constituency.

V. Co-chairs

In forming the Tribal Science Council, the Tribal Caucus and the EPA decided that there would be two Co-chairs for the TSC – one Co-chair from among the EPA members and one from among the Tribal TSC members.

The following describes the roles and responsibilities of the Co-chairs:

- The Co-chairs will coordinate discussions within their respective group and ensure that those issues are considered by the larger group.
- The Co-chairs will assist in planning and developing the agendas for the conference calls and in-person meetings. Co-chairs will have assistance from facilitators and other members of the TSC, as appropriate.
- The Co-chairs will run the conference calls, initiate and close meetings, including conference calls, and provide guidance in achieving the goals of the conference calls and meetings.
- The Co-chairs will provide overall guidance for the Tribal Science Council.
- The Co-chairs will represent the TSC at the Tribal Operations Committee and Tribal Caucus meetings, as directed by the Council.
- The Co-chairs will speak on behalf of the TSC, as directed by the Council.
- The Co-chairs will serve as liaisons with other organizations as directed by the TSC.
- The Co-chairs will address any unresolved Council issues that arise by developing proposals for TSC concurrence.

The Co-chairs will serve for a period of two years. Their terms will be staggered such that one Co-chair's term will always end in the middle of the other's term. The new Agency Co-chair will be nominated and selected by the Agency TSC members. The Tribal Co-chair role will be passed from Region to Region in descending order, beginning with Region 10.

VI. Executive Secretary

To help ensure the effective operation of the Council and facilitate the flow of information within and beyond the Council, the group will have an Executive Secretary. The Executive Secretary will be selected by the Office of Science Policy within ORD who are funding the position. This individual will serve the organization by:

- Coordinating the planning of conference calls and meetings;

- Being the focal point for inquiries to the group from external entities and responses from the group to those entities;
- Tracking the progress of the group;
- Maintaining regular communications with the Council Co-chairs; and
- Assisting in the development and dissemination of group products.

VII. Subcommittees

In general, the TSC will use subcommittees to address Tribal science issues. This structure will help ensure that issues are researched or discussed in more depth than would be possible in a full-group setting. These subcommittees or work groups will:

- be formed on an as-needed basis with an anticipated “life span;”
- have EPA and Tribal representatives;
- have an EPA and a Tribal co-chair;
- have broad participation by experts, both internal and external to the TSC, to ensure subject matter expertise;
- meet periodically outside of the full TSC meetings and develop products for review and approval by the Council;
- explore issues, contact relevant parties, and develop potential solutions;
- present proposed solutions, issues for resolution, and the status of their progress to the Council; and
- report their progress back to the Council during full TSC meetings and conference calls.

VIII. Flow of Information

The Tribal Science Council is tribally driven, which means that the priority science issues are identified solely by the Tribal TSC representatives. Overall, tribal TSC reps work with the tribes within their Region to identify science issues of importance. The manner in which the Tribes within a Region have organized themselves to identify and discuss these issues may vary slightly from Region to Region. However, generally, issues are identified through the RTOCs or through special science committees set up by the RTOCs.

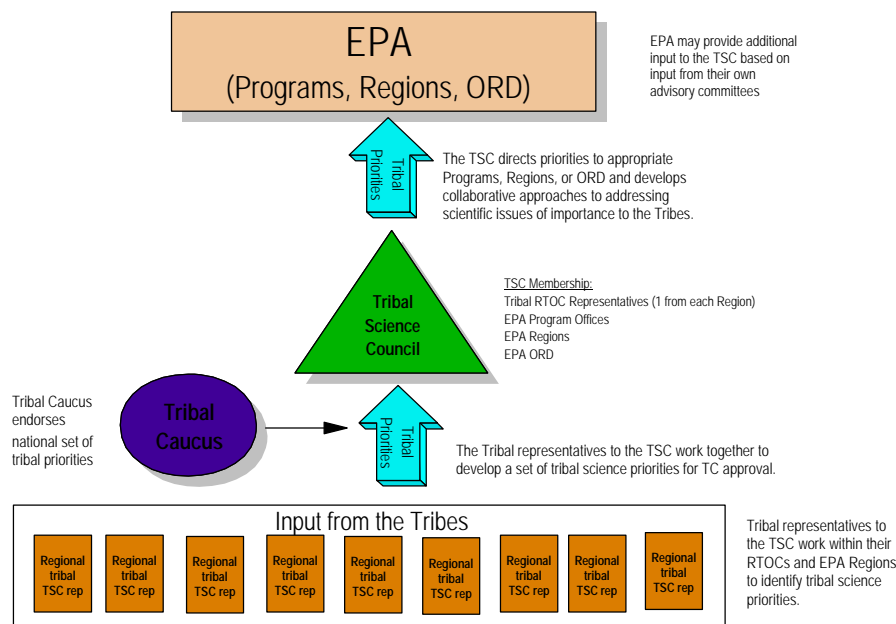
Once an issue is identified at the Regional level and brought to the Council through the Tribal representative from that Region, the Tribal representatives will prioritize the issue within a list of

overall priorities for discussion by the full TSC. Priority issues may involve recommending more research, identifying resources that may be available to advance the issue, or raising the profile of the problem both at the Agency and within the Tribal landscape to ensure that it is included in program-specific activities across the Agency and brought to the attention of Tribes across the country. Those issues that are not found to meet the Council's criteria will be referred to the appropriate group (e.g., EPA Region, Federal agency, Agency-specific work group, Tribal organization, Tribal college) that can best address the issue.

Because the Council is designed to complement the existing infrastructure that the EPA established to work with Tribes across the country, scientific issues can also be brought to the attention of the TSC via the Agency TSC representative from Program-specific Agency Tribal advisory groups.

As the Council works collaboratively to address the issues brought before them, they will communicate their progress on addressing these issues in a variety of ways, including reports to the Tribal Caucus and Tribal Operations Committee, through the EPA Tribal Science Web site, and through Regional Tribal Operations Committees. In addition, the agency TSC representatives will be responsible for communicating priority Tribal research issues to the appropriate ORD Research Coordination Team (RCT) representative in their Office or Region for consideration in the ORD research planning process. If the issue goes beyond the purview or ability of EPA, then other agencies and organizations will be contacted.

Addressing Tribal Science Priorities through the TSC



IX. Decision Making

The Council will spend a majority of its time engaged in dialogue to better understand the scientific issues identified by tribes, learn more about existing and planning science activities at the Agency, and exploring ways to ensure that these activities address the issues identified. However, on those occasions where decisions need to be made by the TSC, the Council will make decisions based on consensus. For purposes of this group, the term consensus will be defined as the absence of dissent. This means that all those participating in the decision can “live with” with the proposed decision.

For those issues that need to be decided by tribes, tribal TSC members will be asked to convene in person or via phone to discuss the issue on their own and report back to the Council with the decision reached.

For those issues that need to be decided by the Agency, Agency TSC representatives will convene on their own in person or via phone to discuss the issue and reach a decision based on the consensus of the members. The decision reached will be reported back to the full Council.

X. Ground Rules

The ground rules below are meant to be the basic guidelines by which the group will operate. They are meant to help promote more productive dialogue by the group and establish a common understanding of how the group will operate. As the activities of the group change, the ground rules may need to be expanded.

- *Promote the group's goals* – In all of its efforts, TSC members will support and promote the goals agreed to by the group.
- *Be solution oriented* – Participants are encouraged to work collaboratively with other members and be solution oriented in their discussions.
- *Respect other points of view* – Participants are expected to treat each other with respect and patience, and to make every effort to understand other needs and points of view.
- *Seek to understand* – Participants should listen to and consider fully the views of others without interruption. When someone raises a point that is not clear to you, you are encouraged to ask clarifying questions about that point.
- *Provide direct and respectful feedback* – When responding to other members requests or providing them with feedback, members will try to be direct and respectful.
- *Stay focused* – Participants should stay focused on the agenda for a meeting or call, unless the group agrees that the agenda needs to be changed.